

Application No. 10/757,771  
Amendment dated April 24, 2006  
Reply to Office Action of January 23, 2006

PATENT

**REMARKS/ARGUMENTS**

Claims 1-6, 8-13, 17-20 and 23 were pending in this application. Claims 9, 17, 20, and 23 have been amended. Claims 1-6 and 8 have been allowed. No claims have been added or canceled. Hence, claims 1-6, 8-13, 17-20 and 23 remain pending. Reconsideration of the subject application as amended is respectfully requested.

Claims 9-13, 17, 19, 20 and 23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the cited portions of U.S. Patent No. 6,239,002 to Jang, *et al.* (hereinafter "Jang").

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the cited portions of U.S. Patent Publication No. 2001/0019860 to Adachi *et al.* (hereinafter "Adachi"), as applied to claims 9-13, 17, 19, 20 and 23, and further in view of the cited portions of U.S. Patent Publication No. 2004/0018699 to Boyd, *et al.* (hereinafter "Boyd").

Claims 9, 17, 20, and 23 have been amended to more particularly recite the Applicant's claimed invention. Specifically, claims 9 and 20 have been amended to include subject matter not taught or suggested by the cited references, the support for which may be found at, for example, ¶ 36 of the specification. Claims 17 and 23 have been amended to include subject matter believed to be allowable according to the office action mailed on September 29, 2005.

**Claim Rejections Under 35 U.S.C. § 102(e)**

All pending claims, not yet allowed, have been amended to include subject matter not taught or suggested by the cited references. Specifically, claims 9 and 20 have been amended to include "heating the substrate in the presence of nitrous oxide to a temperature greater than or equal to 1000° C in a rapid thermal process for a duration from about 5 seconds up to around three minutes to anneal the deposited film." The cited references do not teach or suggest heating in a rapid thermal process for the claimed time frame. Hence, claims 9 and 20 and the dependent claims that depend from claims 9 and 20 are believed to be allowable, at least for this reason.

Claims 17 and 23 have been amended to include "heating the substrate in the presence of nitrous oxide in a furnace to a temperature in the range from about 750° C to about 1000° C to anneal the deposited film." According to the office action mailed on September 29, 2005, the prior art (specifically Gabric) does not teach or suggest nitrous oxide annealing.

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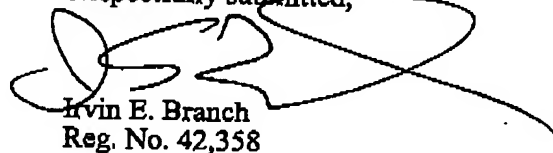
Hence, claims 17 and 23 and the dependent claims that depend from claims 17 and 23 are believed to be allowable, at least for this reason.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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